



004002-002803.KAG.215442/am

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on:

April 14, 2003

(Date of Deposit)

Kenneth A. Gandy

Name of Registered Representative

*Kenneth A. Gandy*

Signature

April 14, 2003

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U. S. application of:  
William F. McKay

Serial No. 09/923,116

Filing Date: August 6, 2001

HIGHLY-MINERALIZED OSTEOGENIC  
SPONGE COMPOSITIONS, AND USES  
THEREOF

Before the Examiner  
Stewart, Alvin J.

Group Art Unit 3738

April 14, 2003

RECEIVED  
APR 24 2003  
TECHNOLOGY CENTER R3700

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is in response to the Office Action dated February 13, 2003. Please provide any extensions of time that may be necessary and charge any fees that may be due, to Deposit Account No. 23-3030, but not to include the payment of any issue fees.

**IN THE CLAIMS:**

Please cancel claims 20-41 and 50. Please add new claims 51-64.

51. (New) An osteogenic sponge composition comprising a highly mineralized sponge implant device of claim 43 and an osteogenic factor.

52. (New) The osteogenic sponge composition of claim 51 wherein the collagen comprises telopeptide collagen.

53. (New) The osteogenic sponge composition of claim 52, wherein the osteogenic factor comprises a bone morphogenic protein.